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EXAMINER

GRAHAM, CLEMENT B

ART UNIT PAPER NUMBER

3628

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/691,175

Applicant(s)

FLITCROFT ET AL.

Examiner

Clement B. Graham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-27 has been cancelled and claims 28-59, remained pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 28-59, are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao et al (Hereinafter Joao U.S. Patent No. 5, 903, 830) in view of Vizcaino U.S Patent No: 5, 317, 636.

As per claim 28, Joao discloses a method for implementing a limited-use credit card system, the method composing:

allocating in a computer system a limited-use credit card number (see column 16 lines 4-35) associating the limited-use credit card number with a customer account number and a set of conditions (i.e. card is lost, stolen, cancelled and/or de-activated, or credit, charge or debit limit is reached and/or exceeded, currency value depleted, unauthorized transaction limit reached or exceeded limitations and/or restrictions violated, etc.) authorizing or nor authorizing the transaction based on a result of said processing in the computer system.(note abstract and see column 17 lines 37-67 and column 18 lines 1-54 and column 7 lines 45-64 and column 5 lines 20-67) issuing the limited-use credit card number (see column 4 lines 19-31).

Joao fail to explicitly teach detecting in a computer system a transaction using the limited-use credit card number and processing the transaction in accordance with the set of conditions associated with limited-use credit card number.

However Vizcaino discloses this invention relates to the apparatus and method of authorizing credit card transactions. One embodiment of the invention includes a system which is made up of an authorization computer and a credit card that work in conjunction to enhance the security of credit card transactions more particularly, the system includes a smart credit card which includes a processor, a memory and a liquid

crystal display. The credit card is used to produce a unique verification number by processing a transaction sequence number with an encryption algorithm. The verification number is then displayed in the display device, and can be transmitted to the authorization computer along with a customer identifying account number.

The computer, which is used for authorizing the credit card transactions of the customers of the credit card issuer, uses the account number to access an account file for the credit card customer. That account file has general account data for the given customer, as well as a transaction sequence number, which corresponds to the transaction sequence number stored in the credit card. Additionally, the account file includes a de-encryption algorithm, which is complementary to the encryption algorithm of the credit card, such that the computer can use the de-encryption algorithm together with the verification number to produce a computed transaction sequence number.

The computed transaction sequence number is compared to the transaction sequence number stored in the computer to determine whether the two numbers correspond to one another. If they do, then the computer will authorize the transaction, if they do not then the transaction will be rejected.

Both transaction sequence numbers, the one in the card and the one in the computer are changed, preferably by incrementation, after the authorized transaction so that a different verification number is generated and used in the authorization of each different credit card transaction. Thus, the verification number used in one given transaction will not be useful in a subsequent transaction. Therefore, even if someone were to see the verification number used in one transaction, they would not be able to use it in a subsequent transaction. (note abstract and see column 3-6 lines 1-76)

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Joao to include detecting a transaction using the limited-use credit card number and processing the transaction in accordance with the set of conditions associated with limited-use credit card number taught by Vizcaino in order to authorizing credit card transactions.

As per claim 29, Joao discloses further comprising:

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allocating in a computer system additional limited-use credit card numbers upon a customer request and/or an event trigger ("i. e, exceed account limit or depleted funds"). (Note abstract and see column 16 lines 4-35 and abstract and see column 7 lines 45-64 and column 5 lines 20-67).

As per claim 30, Joao discloses wherein the event trigger ("i. e, exceed account limit or depleted funds") is the use of more than a preset amount of limited-use credit card numbers. (see column 5 lines 20-67)

As per claim 31, Joao discloses wherein processing the transaction comprises: authorizing or not authorizing the transaction by comparing the transaction to the set of conditions associated with the limited-use credit card number (see column 5 lines 39-67) determining in a computer system whether a limited use event has occurred (see column 5 lines 39-67) and deactivating the limited-use credit card number based on the limited-use event and/or the set of conditions associated with limited-use credit card number. (see column 5 lines 39-67).

As per claim 32, Joao discloses further comprising: associated in a computer system said other limited-use credit card number with the customer account number (note abstract and see column 7 lines 45-64 and column 5 lines 20-67) and assigning another limited-use credit card number in response to deactivating the limited-use credit card number. (see column 5 lines 39-67).

As per claim 33, Joao discloses further comprising: maintaining in a computer sytem queue (i. e, database") of available limited-use credit card numbers (see column 16 lines 4-13) and assigning the limited use credit card number from the queue. (see column 16 lines 4-13).

As per claim 34-35, Joao discloses wherein issuing the limited-use credit card number comprises: downloading the limited-use credit card number to a user. (see column 16-18 lines 4-13).

As per claim 36, Joao fail to explicitly teach wherein issuing the limited-use credit card number comprises: mailing the limited-use credit card number to a user.

However there are many ways of transmitting or issuing information to a user, for example via email or regular, U.S mail, or downloading and the means of issuing the account number to the user do not in any way prevent the system from performing its true function of performing a transactions using limited use credit card numbers.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Joao would have been able to issue the credit card number to the user because there are many ways of transmitting information to a user, for example via email or regular, U.S mail or downloading, further the means of issuing the account number to the user do not in any way prevent the system from performing its true function of performing a transactions using limited use credit card numbers.

As per claim 37, Joao discloses further comprising: notifying a user about parameters of the limited-use credit card system. (see column 1 lines 5-31).

As per claim 38, Joao discloses wherein the user is notified e-mail. (see column 10 lines 56).

As per claim 39, Joao discloses wherein the parameters of the limited use credit card system comprise records of limited-use and other card transactions. (see column 16 lines 4-34).

As per claim 40, Joao discloses wherein the parameters of the limited-use credit card system comprise use of the limited use credit card number in a credit card transaction. (see column 5 lines 20-67).

As per claim 41, Joao discloses wherein the parameters of the limited-use credit card system comprise a number of the limited-use credit card number available to the user. (see column 16 lines 4-34).

As per claim 42, Joao discloses wherein the set of conditions are defined by a user of the limited-use credit card. (note abstract and see column 46 lines 6-14).

As per claim 43, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a pre-defined user limit. (see column 16 lines 4-34).

As per claim 44, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a particular merchant,(see column 5 lines 20-67)

As per claim 45, Joao discloses wherein the particular merchant is selected from a predetermined list of merchants and/or category of merchants("i. e, merchants") . (see column 5 lines 20-67).

As per claim 46, Joao discloses wherein the particular merchant ("i. e, merchant") is prearranged by the user. (see column 16 lines 4-34).

As per claim 47, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a single transaction for a maximum transaction value for a single purpose (see column 7 lines 45-64 and column 16 lines 13-34).

As per claim 48, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a set number of transactions for a maximum transaction value within a set time. (see column 7 lines 45-64 and column 16 lines 13-34).

As per claim 49, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a single purpose. (see column 7 lines 45-64).

As per claim 50, Joao discloses wherein the set of conditions comprise at least one of the group consisting of transaction value conditions, time of transaction conditions, number of transactions conditions, frequency of transactions conditions, purpose of transaction conditions, merchant type conditions, and geographical conditions. (see column 7 lines 45-64 and column 16 lines 13-34).

As per claims 51-52, Joao fail to explicitly teach further comprising:
dispensing a credit card containing the limited-use credit card number and
wherein the automated teller machine dispenses the credit card.

However card dispensing and machine are old and well known in the art because they are used to dispense a cards with a values, further the means of acquiring the cards or where the cards were bought or sold would not have prevented the system from performing a financial transaction when the card is tender by the holder.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings Joao to include dispensing a credit card

containing the limited-use credit card number and wherein the automated teller machine dispenses the credit card because they are used to dispense a cards with a values, further the means of acquiring the cards or where the cards were bought or sold would not have prevented the system from performing a financial transaction when the card is tender by the holder.

As per claim 53, Joao discloses wherein dispensing a credit card comprises: printing out an indication of the limited-use credit card number for delivery to the user. (see column 16 lines 32-35).

As per claims 54-55 Joao discloses wherein dispensing a credit card comprises: Dispensing the limited use credit card number to a user via a telecommunication system.(see column 16 lines 32-35).

As per claim 56, Joao discloses further comprising: dispensing the limited-use credit card number to user via a telecommunications system ("i. e, email"). (see column 3 lines 4-18).

As per claim 57, Joao discloses wherein the telecommunications system comprises a pager. (see column 14 lines 66-67 and column 15 lines 1-18).

As per claim 58, Joao discloses wherein the telecommunications system comprises a mobile phone. (see column 14 lines 66-67 and column 15 lines 1-18).

As per claim 57, Joao discloses further comprising: initiating the transaction using the limited-use credit card number via a telecommunications system. (Note abstract and see 5 lines 45-67 and column 7 lines 45-64 and see column 16 lines 4-35).

As per claim 58, Joao discloses wherein the telecommunications system comprises a pager. (see column 14 lines 66-67 and column 15 lines 1-18).

As per claim 59, Joao discloses wherein the telecommunications system comprises a mobile phone. (see column 14 lines 66-67 and column 15 lines 1-18).

Conclusion

Response to Arguments

4. Applicant 's arguments filed on 04/04/2005 have been fully considered but are they are moot in view of new grounds of rejections.

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Any inquiry concerning this communication from the examiner should be directed to Clement Graham at (571) 272-6795. The examiner can normally be reached on Monday, Tuesday, and Wednesday from 5:30AM. to 6:00PM.

5. If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on (703) 305-0505.

The Official Fax Number for TC-3600 is: 571-273-8300

Clement Graham

January 7, 2006


FRANTZY POINVIL
PRIMARY EXAMINER
AU 3628